

REGULAR MEETING – MANSFIELD TOWN COUNCIL

May 14, 2012

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL

Present: Kochenburger, Lindsey, Moran, Paterson, Paulhus, Ryan, Shapiro

Excused: Keane, Schaefer

II. APPROVAL OF MINUTES

Mr. Paulhus moved and Ms. Moran seconded to approve the minutes of the April 23, 2012 special meeting. The motion passed by all except Mr. Kochenburger who abstained. Mr. Paulhus moved and Mr. Shapiro seconded to approve the minutes of the April 23, 2012 regular meeting as amended. The motion passed by all except Mr. Kochenburger who abstained.

III. PUBLIC HEARING

1. License Request: Common Fields at Bassetts Bridge Road

The Town Clerk read the legal notice. Town Manager Matt Hart presented a brief overview of the proposal noting other Town boards and commissions are still reviewing the license request.

Michael Healy, Storrs Road and licensee applicant, stated the PZC is reviewing the proposal. Mr. Healy needs the additional parking area in order to have sufficient parking space to support the business and stated the parking area under discussion would be used only when the facility is at full capacity.

Mayor Paterson commented she and Councilor Moran walked the area and could not see any problems with occasional use.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Alison Hilding, Southwood Road, urged the Council to consider changing the method of voting used at Town Meetings and going directly to referendum. Ms. Hilding's elderly father had difficulties navigating the drive due to the time of day.

Jessica Higham, Adeline Place, spoke in support of the proposed Community Playground which would encourage families to interact. A recently conducted survey of 2000 residents indicated citizens believe the parks need improvements and would like more places to get together. Ms. Higham's daughter, Ashland, stated the playground would give kids the gift of play and happiness.

Kelly Santasiere, Blake Lane, spoke in support of the proposed Community Playground and urged Council members to support the need for additional land. Her daughter, Emma, a member of the Children's Playground Committee, stated the playground would allow families to play and build memories.

Sara Anderson, Ellise Road and Coordinator of the Community Playground effort, reported the group had a very successful Mansfield Community Playground Design Day with input from students and parents. The group also began their fund raising efforts.

V. REPORT OF THE TOWN MANAGER

In addition to his written report the Town Manager offered the following comments:

A tentative Council workshop regarding water supplies has been set for July 12, 2012. It is uncertain whether or not the EIE will be completed by then but members felt, given the magnitude of the subject, there will be plenty of issues to discuss even without the EIE.

Concerns about a possible kennel on Stonemill Road are being reviewed by PZC and noise issues at the same location have been referred to the staff.

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Traffic concerns on Willowbrook Road were discussed at the last Traffic Authority meeting. Many residents were in attendance and efforts to alleviate potential impacts will continue to be addressed.

Mr. Kochenburger commented on the video streaming of Town Council meetings and thanked staff for making this happen. The video streaming will be for all Council regular and special meetings which are held in locations which have access.

Ms. Moran requested the Council add Electronic Town Meetings to a future agenda to discuss the possibility of online voting.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mr. Paulhus attended the Opening Day for Little League, at which the Mayor threw out the first pitch.

Mr. Ryan suggested discussing the possibility of convening a Charter Revision Commission in the fall.

VII. OLD BUSINESS

2. Community/Campus Relations

Sgt. Cournoyer spoke to the approach taken in planning for this year's non-Spring Weekend which included the collaborative efforts of not only the Town and UConn but also students and landlords. Sgt. Cournoyer stated education and reasonable behavior were stressed in the outreach opportunities. The Neighborhood Nuisance Ordinance has also been a good tool. To date the Town has issued 59 violations with just 1 repeat offender.

3. Mansfield Community Playground

Mr. Paulhus moved and Ms. Moran seconded, effective May 14, 2012, to refer the proposed siting of the Mansfield Community Playground Project to the Planning and Zoning Commission for review pursuant to Section 8-24 of the Connecticut General Statutes.

The Town Manager has had preliminary discussions with UConn regarding possible additional land which, if needed, may take the form of a license.

The motion passed unanimously.

4. Fiscal Year 201202013 Mill Rate

Mr. Ryan moved and Mr. Shapiro seconded to approve the following resolution:

BE IT RESOLVED: That the Tax Rate for the Town of Mansfield for Fiscal Year 2012-2013 be adjusted from 27.21 to 27.16 mills, and the Collector of Revenue be authorized and directed to prepare and mail to each taxpayer tax bills in accordance with Connecticut General Statutes, as amended, and that such taxes shall be due and payable July 1, 2012 and January 1, 2013.

Motion passed unanimously.

5. Storrs Center Update

Town Manager Matt Hart presented a construction update on the project. Mr. Hart reported he has not heard from the CT Department of Labor regarding any substantiated claims concerning illegal workers or lack of documentation. It is his understanding if investigations are not substantiated there is no report issued. Mr. Hart is planning to have additional conversations with the Department.

Repairs as a result of the recent water main break will be paid for by the contractor.

6. Utility Easement – North Section of the New Village Street in Storrs Center

Ms. Moran moved and Mr. Paulhus seconded to approve the following resolution:

RESOLVED, that Matthew W. Hart, Town Manager, be, and hereby is authorized to sign the easement entitled "Electric Distribution Easement," which easement will convey for electric utility purposes lands on the southerly side of Dog Lane as described on a map entitled "Compilation Plan Map Showing Easement Area to be Granted to the Connecticut Light and Power Company Across the Property of EDR-Leyland Storrs

Condominium and Town of Mansfield Dog Lane Connector & Village Street North Mansfield, Connecticut" (Easement Plan CL&P File No. E2029).
Motion passed unanimously.

VIII. NEW BUSINESS

7. Quit Claim and Temporary Easement on Dog Lane, Quit Claim for unneeded Sidewalk Easement in Storrs Center

Ms. Moran moved and Mr. Paulhus seconded to approve the following resolution:
RESOLVED, that Matthew W. Hart, Town Manager, be, and hereby is authorized to sign the quit claim deed for the 1,233 sq ft triangle of land on the southern edge of Dog Lane as described on a map entitled "Property Survey, Map of Phase 1B Area, Storrs Center, Storrs Road and Dog Lane, Mansfield, Connecticut, Scale: 1" = 50'; Dated: May 16, 2011, prepared by BL Companies filed in the Mansfield Town Clerk's Office in Map Volume 38 at Page 81."

RESOLVED, that Matthew W. Hart, Town Manager, be, and hereby is authorized to sign the quit claim deed for the termination of the June 11, 1998 easement from the Fleet National Bank to the Town of Mansfield along the southern edge of Dog Lane in Mansfield, CT.

Motion passed unanimously.

8. Resolution to Approve \$500,000 Small Town Economic Assistance Program (STEAP) Grant for Storrs Center Village Street Infrastructure (Downtown Mansfield Revitalization and Enhancement Project – Phase IV)

Mr. Shapiro moved and Mr. Paulhus seconded to approve the following resolution:
WHEREAS, pursuant to Connecticut General Statutes Section 4-66 (g), the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that the Town of Mansfield make an application to the State for \$500,000 in order to undertake the Downtown Mansfield Revitalization and Enhancement Project – Phase IV and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF MANSFIELD;

1. That it is cognizant of the conditions and prerequisites for state assistance, as imposed by Connecticut General Statutes Section 4-66 (g);
2. That the filing of an application for State financial assistance by the Town of Mansfield in an amount not to exceed \$500,000 is hereby approved and that the Town Manager is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Mansfield.

Motion passed unanimously.

9. Rental Fee for Mansfield Downtown Partnership Office Space

Mr. Ryan moved and Mr. Paulhus seconded, to approve the annual fee of \$7,810 to be charged to the Mansfield Downtown Partnership for the use of 356 square feet of office space within the Audrey P. Beck Municipal Building, for the period from June 1, 2012 through May 31, 2013. The Town reserves the right to adjust the fee for any subsequent lease periods.

Ms. Lindsey requested the term “lessor” in the last sentence be changed to “licensor.” Accepted as a friendly amendment the motion passed unanimously.

10. Parking Management Agreement between the Town of Mansfield and Leyland Storrs LLC

Mr. Shapiro moved and Mr. Paulhus seconded that the Town Manager be authorized to execute for the Town of Mansfield the Parking Management Agreement, as proposed by staff in its draft dated May 14, 2012, by and between the Town of Mansfield and Leyland Storrs, LLC.

Following extensive discussion regard the draft Parking Management Agreement, Council members agreed the following issues should be reviewed:

- Section 11 (C) (2) - Strike the second sentence beginning with “Except as may be required...”
- Section 11 (C) – Review the mandatory requirement for arbitration if mediation is not effective.
- Section 9 – Discuss the hold harmless stipulation with respect to attorneys’ fees.
- Section 7 (E) – Discuss the waving of consequential damages.
- Section 5 (A) (2) – Define major and routine maintenance and repairs with more specificity.
- Section 10 – Include the signatory operator, Leyland Storrs LLC, as part of the address given for the Operator.
- Section 4 (P) – Review the need for annual audit reports.

Ms. Moran moved and Ms. Lindsey seconded to table the motion until the next meeting. Motion passed unanimously.

Ms. Moran requested charts identifying the parties/subsidiaries and financial funds included in this agreement showing connections and providing definitions for these entities.

11. Financial Statements Dated March 31, 2012

Chair of the Finance Committee Mr. Ryan moved, effective May 14, 2012, to accept the Financial Statements Dated March 31, 2012.

Motion passed unanimously.

12. Appointment of Auditor to Conduct Financial Audit for Fiscal Year 2011/2012

Mr. Ryan moved and Mr. Paulhus seconded, effective May 14, 2012 to appoint Blum Shapiro & Company, PC to conduct the Town’s Annual Financial Audit for Fiscal Year 2011/12.

Motion passed unanimously.

13. Intertown Capital Equipment Purchasing Incentive (ICE) Program

Ms. Moran moved and Mr. Paulhus seconded to approve the following resolution: Resolved, effective May 14, 2012, to endorse the Intertown Capital Equipment Purchase Incentive (ICE) Program proposal referenced in Section 75 of Public Act 11-57 (An Act Authorizing Bonds of the State of Capital Improvements Authorizing Special Tax Obligation Bonds of the State for Transportation Purposes and Authorizing State Grant Commitments for School Building Projects).

Motion passed unanimously.

IX. DEPARTMENTAL AND COMMITTEE REPORTS

No comments offered.

X. REPORTS OF COUNCIL COMMITTEES

Mr. Kochenburger, Chair of the Nominating Committee offered the following recommendations:

Jane Gonzalez to the Human Service Advisory Committee as a Citizen Representative.

Daniel Vitullo as the Student Representative to the Parks Advisory Committee, as vacated by Ethan Avery.

Noah Lerman to the CATV Advisory Committee as the Library Representative.

The following recommendations to the Beautification Committee:

Isabelle Atwood for a term ending 6/30/2015,

Brian Krystof for a term ending 6/30/2014,

Patricia Maines for a term ending 6/30/2015,

Jennifer Thompson for a term ending 6/30/2013,

Frank Trainor for a term ending 6/30/2013,

Carol Enright for a term ending 6/30/2014,

Richard Norgaard for a term ending 6/30/2014.

Bryan Kielbania to fill the remaining portion of Ed Wazer's term on the Agricultural Committee.

The motion to approve the recommendations passed unanimously.

Mr. Ryan, Chair of the Finance Committee, reported on the Committee's discussion regarding using the 1% provision in the Town Charter for the Four Corners Water and Sewer Project.

Mr. Ryan, Chair of the Ad Hoc Committee on the Naming of Streets and Building, reported the Committee has received over 40 suggested names and will have recommendations prior to July 1, 2012.

Ms. Moran reported the Ad Hoc Committee on Agricultural Tax Abatements will have a number of options for Council consideration.

Ms. Moran also reported the Community Quality of Life Committee met recently and reviewed the Committee's work to date. If no additional tools are required by staff the Committee will meet a couple more times and then decide whether to recommend the Committee's disbandment.

XI. PETITIONS, REQUESTS AND COMMUNICATONS

14. W. Bigl re: AARP Tax Aide Program

15. M. Boskovic (4/18/12)

16. D. Freudman (4/23/12)

17. Friends of Mansfield Hollow re: Interstate Reliability Project

18. S. Herbst re: Reappointment to the Mansfield Downtown Partnership Board of Directors

19. M. Lindsey re: Resignation from the Mansfield Town Council

20. T. Luciano re: School Building Choice

21. E. Paterson re: Proposed Interstate Reliability Project

22. State of Connecticut Department of Transportation re: Construction of Windham Region Transit District Bus Facility

23. State of Connecticut Office of Policy and Management re: Equalized Net Grand List

XII. FUTURE AGENDA

Mr. Ryan suggested the proposal regarding free Community Center membership for all residents be discussed at a future meeting.

Mr. Kochenburger suggested the Council invite the new librarian to a meeting to discuss new initiatives and ideas.

XIII. ADJOURNMENT

Mr. Paulhus moved and Mr. Shapiro seconded to adjourn the meeting at 10:06 p.m.

Motion passed unanimously.

Elizabeth A Paterson, Mayor

Mary Stanton, Town Clerk

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